

#### **§ 403.1**

Supp.; and sec. 4(a), Pub. L. 89-670, 80 Stat. 933; 49 U.S.C. 1653.

SOURCE: Transportation Order T-2 (Amended), 37 FR 25040, Nov. 25, 1972. Redesignated at 45 FR 44574, July 1, 1980, unless otherwise noted.

#### **§ 403.1 Prohibition of movement of American carriers to North Korea.**

No person shall sail, fly, navigate, or otherwise take any ship documented under the laws of the United States or any aircraft registered under the laws of the United States to North Korea.

[59 FR 8413, Feb. 22, 1994]

#### **§ 403.2 Prohibition on transportation of goods destined for North Korea.**

No person shall transport, in any ship documented under the laws of the United States, or in any aircraft registered under the laws of the United States, to North Korea, any material, commodity, or cargo of any kind. No person shall take on board any ship documented under the laws of the United States or any aircraft registered under the laws of the United States any material, commodity, or cargo of any kind if that person knows or has reason to believe that the material, commodity, or cargo is destined, directly or indirectly for North Korea. No person shall discharge from any ship documented under the laws of the United States or from any aircraft registered under the laws of the United States, at any place other than the port where the cargo was loaded, or within territory under the jurisdiction of the United States any material, commodity, or cargo of any kind which that person knows or has reason to believe is destined for North Korea.

[59 FR 8413, Feb. 22, 1994]

#### **§ 403.3 Persons affected.**

The prohibitions of this order apply to the owner of the ship or aircraft, to the master of the ship or aircraft, and to any other officer, employee, or agent of the owner of the ship or to any other person who participates in the prohibited activities.

#### **§ 403.4 Reports.**

Persons subject to this order shall submit such reports to either the As-

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sistant Secretary of Commerce for Domestic and International Business, Assistant Secretary of Commerce for Maritime Affairs, or the Assistant Secretary of Transportation for Policy and International Affairs, for, respectively, cargoes, vessels or aircraft as shall be required, subject to the terms of the Federal Reports Act.

#### **§ 403.5 Records.**

Each person participating in any transaction covered by this order shall retain in his possession, for at least 2 years, records of voyages and shipments in sufficient detail to permit an audit that will determine for each transaction that the provisions of this order have been met. This provision does not require any particular accounting method and does not require alteration of the system customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

#### **§ 403.6 Defense against claims for damages.**

No person shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with this order or any provision, thereof, notwithstanding that this order or such provision shall thereafter be declared by judicial or other competent authority to be invalid.

#### **§ 403.7 Violations.**

Any person who willfully violates any provisions of this order, or willfully conceals a material fact, or furnishes false information in the course of operation under this order, shall, upon conviction, be punished by fine or imprisonment, or both. In addition, administrative action may be taken against any such person, denying him the privileges generally accorded under this order.

#### **PARTS 404-499 [RESERVED]**